

EXHIBIT B



CT Corporation

**Service of Process
Transmittal**

03/02/2022

CT Log Number 541149236

TO: MetLife Litigation Intake
Metropolitan Life Insurance Company
200 PARK AVENUE
NEW YORK, NY 10166

RE: Process Served in Texas

FOR: Metropolitan Life Insurance Company (Domestic State: NY)

ENCLOSED ARE COPIES OF LEGAL PROCESS RECEIVED BY THE STATUTORY AGENT OF THE ABOVE COMPANY AS FOLLOWS:

TITLE OF ACTION: Londi Dennis vs. Metropolitan Life Insurance Company

DOCUMENT(S) SERVED: Citation, Petition

COURT/AGENCY: Tarrant County Judicial District Court, TX
Case # 14133158722

NATURE OF ACTION: Insurance Litigation

ON WHOM PROCESS WAS SERVED: C T Corporation System, Dallas, TX

DATE AND HOUR OF SERVICE: By Certified Mail on 03/02/2022 postmarked on 02/04/2022

JURISDICTION SERVED : Texas

APPEARANCE OR ANSWER DUE: At or before 10:00 a.m. of the Monday next following the expiration of 20 days from the date of service

ATTORNEY(S) / SENDER(S): Mark S. Humphreys
Mark S. Humphreys, P.C.
702 Dalworth Street
Grand Prairie, TX 75050
972-263-3722

ACTION ITEMS: CT has retained the current log, Retain Date: 03/02/2022, Expected Purge Date: 03/07/2022

Image SOP

Email Notification, MetLife Litigation Intake litigationintake@metlife.com

REGISTERED AGENT ADDRESS: C T Corporation System
1999 Bryan Street
Suite 900
Dallas, TX 75201
800-448-5350
MajorAccountTeam1@wolterskluwer.com

The information contained in this Transmittal is provided by CT for quick reference only. It does not constitute a legal opinion, and should not otherwise be relied on, as to the nature of action, the amount of damages, the answer date, or any other information contained in the included documents. The recipient(s) of this form is responsible for reviewing and interpreting the included documents and taking appropriate action, including consulting with its legal and other advisors as necessary. CT disclaims all liability for the information contained in this form, including for any omissions or inaccuracies that may be contained therein.

CEJA LAW OFFICE
702 Dalworth Street
Grand Prairie TX 75050

Case 4:22-cv-00208-P Document 1-2 Filed 03/23/22 Page 3 of 10 PageID 10



7017 1450 0001 8733 9099

\$7.330
US POSTAGE
FIRST-CLASS
FROM 75050
02/04/2022
stamps
endicia



062S0008718900



Metropolitan Life Insurance Company
B/S-C.T. Corporation System
1999 Bryan St., Ste. 900
Dallas TX 75201-4284

NIXIE 750 DE 1040 0002/26/22

RETURN TO SENDER
ATTEMPTED - NOT KNOWN
UNABLE TO FORWARD

9326020212402918

ANK

BC: 75050557199

*1882-00534-26-16

750505571



THE STATE OF TEXAS
DISTRICT COURT, TARRANT COUNTY

CITATION

Cause No. 141-331587-22

LONDI DENNIS
VS.
METROPOLITAN LIFE INSURANCE COMPANY

TO: METROPOLITAN LIFE INSURANCE COMPANY

B/S CT CORPORATION SYSTEM 1999 BRYAN ST STE 900 DALLAS, TX 75201-4284

You said DEFENDANT are hereby commanded to appear by filing a written answer to the PLAINTIFF'S FIRS AMENDED PETITION at or before 10 o'clock A.M. of the Monday next after the expiration of 20 days after the date of service hereof before the 141st District Court, 100 N CALHOUN, in and for Tarrant County, Texas, at the Courthouse in the City of Fort Worth, Tarrant County, Texas said PLAINTIFF being

LONDI DENNIS

Filed in said Court on January 31st, 2022 Against
METROPOLITAN LIFE INSURANCE COMPANY

For suit, said suit being numbered 141-331587-22 the nature of which demand is as shown on said PLAINTIFF'S FIRS AMENDED PETITION a copy of which accompanies this citation.

MARK S HUMPHREYS

Attorney for LONDI DENNIS Phone No. (972)263-3722

Address 702 DALWORTH ST GRAND PRAIRIE, TX 75050

Thomas A. Wilder, Clerk of the District Court of Tarrant County, Texas. Given under my hand and the seal of said Court, at office in the City of Fort Worth, this the 1st day of February, 2022.

By

Natalie Thigpen

NATALIE THIGPEN



A CERTIFIED COPY
ATTEST: 02/01/2022
THOMAS A. WILDER
DISTRICT CLERK
TARRANT COUNTY, TEXAS
BY: /s/ Natalie Thigpen

NOTICE: You have been sued. You may employ an attorney. If you or your attorney do not file a written answer with the clerk who issued this citation by 10:00 AM, on the Monday next following the expiration of twenty days after you were served this citation and petition, a default judgment may be taken against you. In addition to filing a written answer with the clerk, you may be required to make initial disclosures to the other parties of this suit. These disclosures generally must be made no later than 30 days after you file your answer with the clerk. Find out more at TexasLawHelp.org.

Thomas A. Wilder, Tarrant County District Clerk, 100 N CALHOUN, FORT WORTH TX 76196-0402

OFFICER'S RETURN *14133158722000004*

Received this Citation on the _____ day of _____, _____ at _____ o'clock _____ M; and executed at _____ within the county of _____, State of _____ at _____ o'clock _____ M on the _____ day of _____, _____ by delivering to the within named (Def.): _____ defendant(s), a true copy of this Citation together with the accompanying copy of PLAINTIFF'S FIRS AMENDED PETITION, having first endorsed on same the date of delivery.

Authorized Person/Constable/Sheriff: _____

County of _____ State of _____ By _____ Deputy

Fees \$ _____

State of _____ County of _____ (Must be verified if served outside the State of Texas)

Signed and sworn to by the said _____ before me this _____ day of _____, _____

to certify which witness my hand and seal of office

(Seal)

County of _____, State of _____

CITATION

Cause No. 141-331587-22

LONDI DENNIS

VS.

METROPOLITAN LIFE INSURANCE
COMPANY

ISSUED

This 1st day of February, 2022

Thomas A. Wilder
Tarrant County District Clerk
100 N CALHOUN
FORT WORTH TX 76196-0402

By NATALIE THIGPEN Deputy

MARK S HUMPHREYS
Attorney for: LONDI DENNIS
Phone No. (972)263-3722
ADDRESS: 702 DALWORTH ST

GRAND PRAIRIE, TX 75050

CIVIL LAW



14133158722000004

SERVICE FEES NOT COLLECTED
BY TARRANT COUNTY DISTRICT CLERK
ORIGINAL



141-331587-22

Cause No. 141-331587-22

FILED
TARRANT COUNTY
1/31/2022 1:50 PM
THOMAS A. WILDER
DISTRICT CLERK

Londi Dennis	§	In the 141ST Judicial
	§	
V.	§	District Court of
	§	
Metropolitan Life Insurance Company	§	Tarrant County, Texas

PLAINTIFF'S FIRST AMENDED PETITION

TO THE HONORABLE JUDGE OF SAID COURT:

NOW COMES **Londi Dennis** (126/477) (hereinafter Plaintiff) complaining of and about **Metropolitan Life Insurance Company** (hereinafter Defendant) and for cause of action shows unto the Court the following:

JURISDICTION and VENUE

1. The subject matter in controversy is within the jurisdictional limits of this court in that Plaintiff seeks recovery of \$250,000.00 or less excluding interest, statutory or punitive damages and penalties, and attorney fees and costs.
2. Pursuant to Texas Civil Practice & Remedies Code §15.032, venue in Tarrant County is proper in this cause in that it is where the insured resided at time of death.

SERVICE

3. Defendant **Metropolitan Life Insurance Company** is an insurance company, doing business in the State of Texas. Said Defendant can be served through its attorney for service:

C.T. Corporation System, 1999 Bryan St., Ste. 900, Dallas TX 75201-4284

AGENCY AND VICARIOUS LIABILITY

4. Whenever in this Petition it is alleged that Defendant did any act or thing or omission, it is meant that Defendant, its officers, agents, employees, or representatives did such act or thing or omission and that at the time such act or thing was done, it was done with the full authorization or ratification of Defendant or was done in the normal and routine course and scope of employment of Defendant, its officers, agents, employees, or representatives.

WRITTEN NOTICE GIVEN

5. Plaintiff has fully complied with all of the conditions precedent prior to bringing this suit.

6. Notice letter was issued August 4, 2020, and this lawsuit is being filed after the expiration of 60 days.

FACTS

7. Anthony Troy Dennis, Jr. ("Troy") had a policy of insurance with Defendant, group policy number 5973562.

8. The policy was in full force and effect.

9. On June 15, 2021, Troy died and Plaintiff made a timely claim for life insurance benefits and cooperated with the investigation of the claim.

10. Defendant had initial concerns about who was to be paid the policy benefits.

11. Defendant eventually agreed that Plaintiff was entitled to the benefits but then stated that there was concerns about the conversion period and Troy's last day of employment.

12. In a letter dated October 25, 2021, Plaintiff's claim was denied based on Defendant's contention that Troy was not an eligible employee.

13. The fact is that Troy had not quit employment nor was he terminated from employment prior to his death.

14. The continued refusal to pay benefits is unjustified.

15. Defendant had or should have had all the information it needed to pay the benefits by October 25, 2021.

16. Due to the conduct of Defendant, Plaintiff has suffered pain and mental anguish resulting in emotional pain, torment, and suffering, exhibited by headaches, upset stomach, an inability to sleep well, and an inability to concentrate and carry on with daily activities.

VIOLATIONS OF THE TEXAS INSURANCE CODE

17. Plaintiff incorporates herein all the FACTS as set forth above.

18. Defendant's conduct in this matter appears to be in violation of numerous laws, including but not limited to Texas Insurance Code (TIC), as follows:

- a) TIC §541.060(a)(1): Defendant violated this section by misrepresenting to a claimant a material fact relating to coverage at issue by telling claimant there appears to be no coverage because of some issues with Troy's last day of employment and conversion periods.
- b) TIC §541.060(a)(2)(A): Defendant violated this section by failing to attempt in good faith to effectuate a prompt, fair, and equitable settlement of a claim with respect to which the insurer's liability has become reasonably clear in that research would show the Facts Defendant seems to be using as justification for its refusal to pay this claim.

BREACH OF CONTRACT

19. Plaintiff incorporates herein all the FACTS as set forth above.
20. Defendant's conduct in this matter appears to be in Breach of Contract.
21. There is a valid, enforceable contract of insurance between and Defendant and Plaintiff as the beneficiary of the life insurance policy.
22. Plaintiff is a proper party to bring a lawsuit against Defendant.
23. Plaintiff has performed under the contract by timely reporting the claim and cooperating with the investigation and supplying necessary information.
24. Defendant breached the contract by not providing benefits.
25. The breach of the contract has caused injury to Plaintiff.

PROMPT PAYMENT OF CLAIMS ACT

26. Plaintiff incorporates herein all the FACTS as set forth above.
27. Defendant had all the information needed to pay Plaintiff's claim on or before October 25, 2021. As a result, this claim should have been accepted and paid by October 25, 2021.
28. Defendant is liable as penalty at an interest of 18% a year on the policy benefits plus attorneys' fees.

DAMAGES

29. Plaintiff incorporates herein all the FACTS as set forth above.
30. Plaintiff sustained the following economic and actual damages as a result of the actions and/or omissions of Defendant described herein:
 - a) \$100,000.00 - Actual damages
 - b) \$25,000.00 - Exemplary damages due to the knowing and intentional conduct on Defendant's part.
 - c) \$10,000.00 - Mental anguish damages resulting from Defendant's conduct.
 - d) \$?????? - Penalty at 18%, on actual damages from October 25, 2021, until paid.

USE OF DOCUMENTS

31. NOTICE pursuant to Rule §196, you are hereby given Notice that all documents produced by you in response to this Request for Production may be used at the trial of this cause pursuant to Rule 196, Texas Rules of Civil Procedure.

32. Pursuant to Rule §193.7 of the Texas Rules of Civil Procedure, Plaintiff hereby gives notice to the Defendant that Plaintiff intends to use all documents exchanged and produced between the parties (including, but not limited to, correspondence, pleadings, records, and discovery responses) during the trial of this matter.

ATTORNEY'S FEES

33. Request is made for all costs and reasonable and necessary attorney's fees incurred by or on behalf of Plaintiff herein, including all fees necessary in the event of an appeal of this cause to the Court of Appeals and the Supreme Court of Texas, as the Court deems equitable and just, as provided by: (a) §541.152(a)(1), of the Texas Insurance Code; (b) Chapter 38 of the Texas Civil Practice and Remedies Code; and, (c) common law.

PRE-JUDGMENT INTEREST

34. As a result of the injuries sustained by Plaintiff as aforesaid and in addition to such damages, Plaintiff will show that Plaintiff is entitled to pre-judgment interest on each separate element of damages as awarded by the jury during the trial of this case, from and after the date of accrual of such damages, through the date of judgment, such interest to accrue at the highest prevailing rate then applicable on the date of judgment.

POST JUDGMENT INTEREST

35. As a result of the injuries sustained by Plaintiff and in addition to such damages, Plaintiff will show that Plaintiff is entitled to post-judgment interest on damages awarded by the jury during the trial of this case, from and after the date of judgment, such interest to accrue at the highest prevailing rate then applicable until paid in full.

COSTS OF SUIT

36. In addition, Plaintiff seeks all related costs of suit in this cause of action through the trial, post-trial, appeal, and/or post-judgment discovery, etc. of this matter.

37. Wherefore, Plaintiff seeks reimbursement of court costs incurred in the trial of this case and thereafter.

REQUEST FOR JURY TRIAL

38. Plaintiff respectfully requests that a Jury be impaneled on final hearing of this cause of action.

PRAYER

39. **WHEREFORE, PREMISES CONSIDERED**, Plaintiff respectfully prays that the Defendant be cited to appear and answer herein, and that upon a final hearing of the cause, judgment be entered for the Plaintiff against Defendant for and such other and further relief to which the Plaintiff may be entitled at law or in equity, whether pled or unpled.

SIGNED on January 31, 2021.

Respectfully submitted,

/s/ Mark S. Humphreys

Mark S. Humphreys - SBOT #00789762

MARK S. HUMPHREYS, P.C.

702 Dalworth Street, Grand Prairie, Texas 75050

Tel. (972) 263-3722 * Fax. (972) 237-1690

Email: texaslaw94@yahoo.com

Attorney For Plaintiff